



# J & K FRESH, LLC

A CUSTOMHOUSE BROKERAGE FIRM

ROSS JONES  
LYNNETTE KEFFER

October 17, 2005

Docket Clerk Marketing Order Administration Branch  
Fruit and Vegetable Programs  
AMS, U.S. Department of Agriculture  
1400 Independence Avenue, SW  
STOP 0237  
Washington, DC 20250-0237



RE: Docket No. FV03-925-1PR  
Federal Register Vol. 70, No. 100, Page 30001

Dear Docket Clerk:

The above referenced docket refers to the proposed change (in regulatory period) for grapes grown in a designated area of Southeastern California and imported table grapes. J & K Fresh is a Customhouse Broker specializing in the clearance of imported fresh produce. Clearing fresh grapes from Chile makes up a good part of our Winter Fruit Program.

J & K Fresh concurs with the detailed comments submitted by ASOEX, the Chilean Exporters Association. We strongly urge the agency to reject the proposed change in regulatory period.

- ✓ Moving the effective date of the marketing order from April 20 to April 1 will have a direct **negative** impact on our business, as well as our business partners.
- ✓ The proposed rule does not contain sufficient evidence of circumvention by Chilean table grapes to warrant the proposed change.
- ✓ The change in date will create an artificial shortage of table grapes, which will cause an increase in the retail price for the consumer.
- ✓ The Chilean grapes supplied from April 1 to the earliest commercially significant supplies of grapes from Coachella Valley in California meet marketing specifications from retail chains (that are more stringent in some respects than the marketing order requirements).
- ✓ The proposed change cannot be validly based on a 20-year-old survey of cold storage practices.
- ✓ The proposed change is not supported by any analysis of the record prices received by Coachella Valley growers in the last two seasons.

Respectfully submitted,

Lynnette Keffer, CHB  
President